

Sixth Appellate District

San Jose, California

MONDAY, JANUARY 30, 2006

H028268 PEOPLE v. GUARDINO

H029445 GUARDINO ON Habeas Corpus

The judgment is affirmed. The petition for a writ of habeas corpus is denied. (not published)

(Premo, J.; We concur: Rushing, P.J., Bamattre-Manoukian, J.)

Filed January 30, 2006

H028735 RAY, et al., v. KRAUSE, et al.

The amended judgment is affirmed. (not published)

(Bamattre-Manoukian, J.; We concur: Elia, Acting P.J., Duffy, J.)

Filed January 30, 2006

H028658 CITY OF SAN JOSE v. INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL NO. 3

The judgment confirming the arbitrator's award is affirmed. (not published)

(Bamattre-Manoukian, Acting P.J.; We concur: McAdams, J., Duffy, J.)

Filed January 30, 2006

H028381 KOTTO v. KOTTO

The order denying Frederick's motion to set aside judgment is affirmed. (not published)

(Duffy, J.; We concur: Elia, Acting P.J., Bamattre-Manoukian, J.)

Filed January 30, 2006

TUESDAY, JANUARY 31, 2006

H028030 PEOPLE v. JONES

For the foregoing reasons, the judgment is affirmed. (not published)

(Premo, Acting P.J.; We concur: Elia, J., Bamattre-Manoukian, J.)

Filed January 31, 2006

The following case is submitted this date:

H029187 In re KADEN R.; SAN BENITO COUNTY HEALTH & HUMAN SERVICES AGENCY v, ALISON R.

Sixth Appellate District

San Jose, California

WEDNESDAY, FEBRUARY 1, 2006

H028615 PEOPLE v. DELRIO

By the Court:

Upon the court's own motion, the submission order in the above-entitled matter dated November 4, 2005, is hereby vacated. The court by separate letter issued February 1, 2006, has requested supplemental briefing from the parties. The cause will be resubmitted upon either completion of oral argument, or if no oral argument is requested upon the expiration of time to request oral argument.

Dated: February 1, 2006 Rushing, P.J.

H029224 PEOPLE v. BAEZ

By the Court:

Upon the court's own motion, the submission order in the above-entitled matter dated January 6, 2006, is hereby vacated. The court by separate letter issued February 1, 2006, has requested supplemental briefing from the parties. The cause will be resubmitted either upon completion of oral argument, or if no oral argument is requested upon expiration of the time to request oral argument.

Dated: February 1, 2006 Rushing, P.J.

THURSDAY, FEBRUARY 2, 2006

H027890 PEOPLE v. WALLACE

The judgment is affirmed. (not published)
(Premo, Acting P.J.; We concur: Bamattre-Manoukian, J., Duffy, J.)

Filed February 2, 2006

The following cases are submitted this date:

H029626 DAVID G. v. SUPERIOR COURT

H028707 PEOPLE v. ANDAZOLA, JR.

H028858 PEOPLE v. BIRHANIE

H028214 PEOPLE v. PEREZ

H028256 PEOPLE v. ALLEN

H028751 PEOPLE v. ALLEN

H028312 PEOPLE v. FRASER

H029126 PEOPLE v. BRYAN

H028143 PEOPLE v. SULLIVAN

H028372 PEOPLE v. HERNDANDEZ

H029147 PEOPLE v. JACKSON

H028621 PEOPLE v. ALDAMA

H029033 PEOPLE v. HERNANDEZ

H028676 PEOPLE v. SEARS

H028127 PEOPLE v. WILLIAMS

Thursday, February 2, 2006 (continued)

H027754 HAYES v. SECURITY NATIONAL INSURANCE COMPANY

Sixth Appellate District

San Jose, California

The judgment is reversed. Plaintiff shall recover her appellate costs. (not published)
(Mihara, Acting P.J.; We concur: McAdams, J., Duffy, J.)
Filed February 2, 2006

FRIDAY, FEBRUARY 3, 2006

The following cases are submitted this date:

H028802 PEOPLE v. SALCIDO
H028928 PEOPLE v. GOMEZ
H029015 PEOPLE v. ODOM
H029046 PEOPLE v. OLSEN
H029133 PEOPLE v. VINDIOLA
H029249 PEOPLE v. MORALES
H029311 PEOPLE v. RAMIREZ

H028195 PEOPLE v. PEREZ

The judgment is modified to strike the \$20 court security fee imposed pursuant to Penal Code section 1465.8, subdivision (a)(1). The clerk of the superior court is ordered to prepare a corrected abstract of judgment, striking the entire second line in section 7 referring to the court security fee. The clerk of the superior court shall also correct the "date of conviction" as it appears in section 1, to read: 01-13-99. Once the corrected abstract of judgment has been prepared, the clerk is ordered to forward it to the Department of Corrections. As modified, the judgment is affirmed. (not published)
(Premo, J.; We concur: Rushing, P.J., Bamattre-Manoukian, J.)
Filed February 3, 2006

H028633 SINGHANIA, et al. v. UTTARWAR, et al.

The judgment is affirmed. (published)
(Elia, J.; We concur: Premo, Acting P.J., Bamattre-Manoukian, J.)
Filed February 3, 2006

H028972 PEOPLE v. TOMMY H.

The challenged dispositional order is affirmed. (not published)
(McAdams, J.; We concur: Mihara, Acting P.J., Duffy, J.)
Filed February 3, 2006

Sixth Appellate District

San Jose, California

Friday, February 3, 2006 (continued)

H028888 HUYNH on Habeas Corpus

The trial court's order granting Huynh's petition for writ of habeas corpus is affirmed and modified to the extent it determined that the Governor's reversal of the Board constituted a violation of Huynh's "plea bargain" and to the further extent it directed Huynh's release consistent with the Board's grant of parole. On remand, the trial court shall order the Governor to vacate his April 18, 2003 decision. The Governor shall thereafter conduct a new review of the Board's decision pursuant to his authority under Article V, section 8, subdivision (b) of the California Constitution and Penal Code section 3041.2. On remand, the Governor is directed to reconsider his decision in light of the views expressed herein. (not published)
(Duffy, J.; We concur: Elia, Acting P.J., Bamattre-Manoukian, J.)
Filed February 3, 2006